

**REMARKS**

This Amendment, filed in reply to the Office Action dated July 13, 2007, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 5-10 and 26-34 are all the claims pending in the application. The withdrawn claims 1-4 and 11-25 are canceled without prejudice or disclaimer.

**I. Claim Rejections under 35 U.S.C. § 102**

Claims 5, 6, 9 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by White et al. (U.S. Patent No. 7,035,462).

**II. Claim Rejections under 35 U.S.C. § 103**

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over White et al. in view of Wakins et al. (U.S. Patent No. 5,778,164).

**III. Allowable Subject Matter**

The Examiner has indicated that claim 7 contains allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant gratefully acknowledges the Examiner's allowance of the subject matter of Claim 7. Applicant submits that the independent claims are patentable for at least the following reasons.

The inventions recited in amended independent claims 5 and 6 overcome the technical difficulty of performing full-automatic red eye compensation with reliability on images in every frame as a predetermined processing due to red eye compensation requiring a large amount of

calculation to be performed and being a time-consuming processing. The inventions achieve such effect by performing the time consuming red eye compensation, not in a full-automatic manner, but efficiently and with reliability in a semi-automatic matter, in a process of printing with film processing that is the most regular process performed, in a print shop such as a photo lab using a digital photo printer. Consequently, the inventions of claims 5 and 6 perform image processing including red eye compensation, and print creation, with favorable operability and productivity.

Accordingly, the present invention discloses verifying verification images on the verification screen in which a predetermined number of frames of verification images are displayed on a display, as well as designating a red eye frame; and upon the verification being complete, displaying a predetermined number of frames of new verification images to be verified next and to designate the red eye frame in the verification screen, and simultaneously subjecting the predetermined number of frames of the verification images which has been subjected to verification formerly to image processing and further performing red eye compensation on the red eye frame. The invention of claim 5 of the present application discloses suspending the displaying of the predetermined number of frames of the new verification images in the verification screen on the display, and a confirmation screen in which an image with which a result of the red eye compensation is confirmed is displayed, at the point in time when the red eye compensation is finished, and performing the image processing on a subsequent frame in response to an instruction for completing confirmation, as well as resuming the suspended displaying of the verification screen. The invention of claim 6 of the present invention discloses displaying a confirmation screen in which an image with which a result of the red eye compensation is confirmed, after all red eye compensation has been finished.

In contrast, the White reference may teach displaying the digital images having corrected eye color defects on a display and correcting the corrected eye color defects in semi-automatic manner, when further correction is conducted, but in White, an image processing of the digital image is initially conducted to automatically detect the candidate positions of the eye color defects therein, and the eye color defect algorithm is applied automatically to the eye color defects at the detected candidate positions of the digital image to automatically correct the eye color defects, which means that the initial red eye detection (the detection of the candidate positions of the eye color defects) from the digital image and the red eye compensation (the correction of eye color defects at the detected candidate positions) are performed in a full-automatic manner.

Such red eye detection and red eye compensation are not performed automatically in the present invention, because they require relatively large amount of calculation and are time-consuming. The present invention overcomes the above mentioned deficiency of the automatic red eye compensation, requiring relatively large amount of calculation and being time-consuming, by displaying digital images on the verification screen to let the operator designate the red eye frames having red eye, and performing red eye compensation of detecting and correcting red eye only on the designated red eye frames. As a result, the present invention provides the effect of performing image processing including red eye compensation with favorable operability and productivity.

The White reference which teaches automatically performing the detection of the candidate positions of eye color deficiencies in the digital image and the correction of the eye color deficiencies at the candidate positions does not provide such an effect. That is to say, White cannot achieve the effect of the present invention.

However, additionally in the present invention, simultaneous to the digital images of a predetermined number of frames being displayed on the verification screen and being verified by the operator, the predetermined number of frames of the verification images which has been subjected to verification formerly is subjected to image processing and further red eye compensation is performed on the red eye frame, such that the efficiency of image processing and red eye compensation is improved, resulting in the improvement of productivity. See, at least, new claims 33 and 34.

Next, Wakins relates to the image processing to reproduce various images on products such as cups or T-shirts and discloses the system for custom imprinting images obtained from various sources on various articles. Wakins is only to disclose that the images to be reproduced are obtained from a plurality of sources such as scanner, camera or other inputs.

Accordingly, Claim 8 should be allowable without amendment, not only for the dependency on Claim 5 but also for the additional reason based on the distinction over the disclosure of Wakins. Applicant hereinabove amends claim 8 to describe the invention more particularly. As amended, claim 8 describes "wherein pre-photometry for performing transmitted light quantity measurement or density measurement and photoelectrical image capturing based on a result of the transmitted light quantity measurement or the density measurement by the pre-photometry are performed once for each frame of a photographic film..."

The present dependent Claim 7 in which the Examiner admitted the allowable subject matter is made into an independent Claim 7 and the subject matter of the present dependent Claim 7 is also added as a new Claim 27 dependent on amended independent Claim 5; a new dependent Claim 26 is added to define the relation between the confirmation screen for

confirming the result of the red eye compensation and the verification screen of the amended independent Claim 5; a new independent Claim 28 in which the allowable subject matter of the present Claim 7 is incorporated into the present independent Claim 6 is added; and new dependent Claims 29-31 having the subject matters of the present Claims 7-10 and dependent on the amended independent Claim 6 are added.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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Date: January 11, 2008